

IN THE SENATE

SENATE BILL NO. 1097, As Amended

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1002B, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO CERTAIN SCHOOL AGE STUDENTS FROM OUTSIDE THE STATE OF IDAHO AND TO MAKE A TECHNICAL CORRECTION.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 33-1002B, Idaho Code, be, and the same is hereby amended to read as follows:

33-1002B. PUPIL TUITION-EQUIVALENCY ALLOWANCES. 1. Districts which educate pupils placed by Idaho court order in licensed homes, agencies, institutions or juvenile detention facilities shall be eligible for an allowance equivalent to forty-two percent (42%) of the previous year's gross per pupil cost calculated on a daily basis. This district allowance shall be in addition to support unit funding and included in district apportionment payments, subject to approval of district applications by the state superintendent of public instruction.

2. Districts which educate pupils placed by Idaho court order in a juvenile detention facility with a summer school program shall be eligible for an allowance equivalent to one-half (1/2) of forty-two percent (42%) of the previous year's gross per pupil cost calculated on a daily basis. This district allowance shall be in addition to support unit funding and included in district apportionment payments, subject to approval of district applications by the state superintendent of public instruction.

3. Districts which educate school age special education students who, due to the nature and severity of their disabilities, are residing in licensed public or private residential facilities or homes, and whose parents are not patrons of the district, shall be eligible for an allowance equivalent to forty-two percent (42%) of the previous year's gross per pupil cost per child plus the excess cost rate that is annually determined by the state superintendent of public instruction. This district allowance shall be in addition to exceptional education support unit funding and included in district apportionment payments, subject to approval of district applications by the state superintendent of public instruction.

4. For school age special education students from outside the state of Idaho who, due to the nature and severity of their disabilities, are residing in licensed public or private residential facilities within the state of Idaho, the local school district shall provide education services to such students if requested by the licensed public or private residential facility, provided that the local school district has been given the opportunity to provide input on any federally required education plans for any such students. A local school district providing education services for such students shall sign a contract with any such licensed public or private residential facilities, which contract shall delineate the education services

1 to be provided by the local school district and the amount to be paid by the
2 licensed public or private residential facility. The amount paid shall be
3 equal to the local school district's full cost of providing the education
4 services delineated by the contract, as determined by the local school dis-
5 trict. Such students shall be excluded from all average daily attendance and
6 other reports provided to the state that would result in the distribution of
7 state funding to the local school district.

8 5. For school age nonspecial education students from outside the state
9 of Idaho who are residing in licensed public or private residential facil-
10 ities within the state of Idaho, the local school district may provide edu-
11 cation services to such students if requested by the licensed public or pri-
12 vate residential facility. A local school district providing education ser-
13 vices for such students shall sign a contract with any such licensed public
14 or private residential facilities, which contract shall delineate the edu-
15 cation services to be provided by the local school district and the amount to
16 be paid by the licensed public or private residential facility. The amount
17 paid shall be equal to the local school district's full cost of providing
18 the education services delineated by the contract, as determined by the lo-
19 cal school district. Such students shall be excluded from all average daily
20 attendance and other reports provided to the state that would result in the
21 distribution of state funding to the local school district.